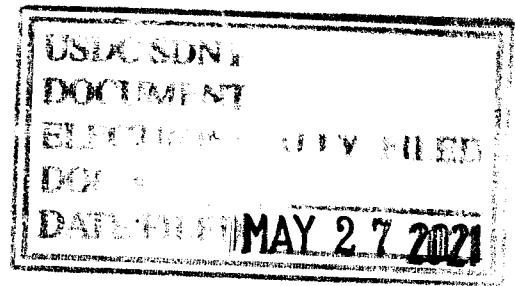


UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK



----- X
SECURITIES AND EXCHANGE COMMISSION, :

Plaintiff, :

-against- :

CRAIG A. ZABALA, :

Defendant, :

-and-, :

DOREEN MCCARTHY, :

Relief Defendant. :

----- X

ORDER

20 Civ. 7880 (GBD)

GEORGE B. DANIELS, District Judge:

For the reasons stated on the record at oral argument, Relief Defendant McCarthy's Rule 12(b)(6) motion to dismiss for failure to state a claim is DENIED. Relief Defendant's Rule 12(b)(1) motion to dismiss for lack of subject matter jurisdiction is DENIED without prejudice to renew after jurisdictional discovery.

The Clerk of Court is directed to close the motion at ECF No. 13 accordingly.

Dated: May 27, 2021
New York, New York

SO ORDERED.

GEORGE B. DANIELS
UNITED STATES DISTRICT JUDGE